

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 13-00061-CR-W-DW
)	
JAMES T. SMITH,)	
)	
Defendant.)	

ORDER

Before the Court is Magistrate Judge Robert E. Larsen's Report and Recommendation (Doc. 43). Neither party has filed objections to the Report and Recommendation. After an independent review of the record and applicable law, the Court adopts Judge Larsen's Report and Recommendation and finds that Defendant James T. Smith is not presently suffering from a mental disease or defect which would prevent him from understanding the nature and consequences of the proceedings against him or from assisting properly in his defense.

IT IS THEREFORE ORDERED that:

1. The Report and Recommendation (Doc. 43) be attached to and made a part of this Order; and
2. Defendant's Motion for Determination of Competency (Doc. 18) is moot.

SO ORDERED.

Date: April 29, 2014

/s/ Dean Whipple
Dean Whipple
United States District Judge